

REAL ESTATE REGULATORY AUTHORITY, BIHAR
IN THE COURT OF ADJUDICATING OFFICER, RERA, BIHAR
 RERA/CC/ 445/2024
 RERA/AO/104/2024

Jai Shree Devi

-----Complainant

Vs

M/s Shree Rama Constructions Pvt. Ltd. ---- -----Respondent

Project: SULVALAYA COMPLEX.

07/05/2026

ORDER

The complainant has filed this case for a direction to stop the extension of registration of the Shivalaya Complex till disposal of the present petition and compensation be awarded against the respondent for financial loss suffered to the estate of complainant.

2. The complainant case in brief is that the complainant is the landowner and the respondent partner- M/s Shree Rama construction executed a General Power of Attorney called Memorandum of Understanding hereinafter called "MOU" vide Deed No. 524 executed on 25.08.2008 for the Development of the piece and parcel of the land. As per the MOU the landlord (Complainant) will get 40% built up area in the said developed land. The respondent as per agreement neither placed the proposed map of multi-story structure along with details or entire structure before the owner of land nor presented the up to date status of the construction work. The complainant filed a complaint before the Bhagalpur Nagar Nigam Authority for taking legal steps in this matter for ignoring the norms of building bye-laws and sanctioned and approved plan. The registration for Shivalaya Complex project expired on 15.03.2022. Long time from 25.08.2008 till date 16 years the project is not completed by the respondent, which caused heavy financial loss due to negligence of respondent. The complainant did not receive share and any approved map plan from respondent till date and legal notice was served on 18.06.2024. Furthermore, having found no any other alternative remedy filed this case.

The respondent never appeared, as such this record proceeded ex-parte.

After hearing learned counsel for the complainant Shri Binod Sharma and perusal of the record it appears that as per complainant itself he has come here on the basis of MOU dated 25.08.2008 and map has not been approved by the competent authority ie. Bhagalpur Nagar Nigam Authority and registration of the project in RERA and registration was not a genuine and legal registration and this project comes within the purview of the lapse project. The complainant has not come before the Authority for the relief which comes within purview of Authority i.e. in Form-M rather he has come only for compensation and without any such type of any complaint case before the Authority and filing this case for compensation in Form-N appears not justified and it is pre-mature complaint application of compensation. Hence, this complaint case is dismissed.

Sd/-

(Vinod Kumar Tiwari)
Adjudicating Officer
RERA, Bihar